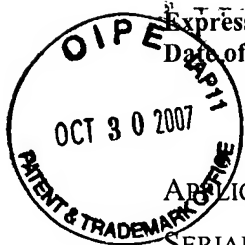


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Attorney Docket No. 24492-023 CON2 CIP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Parikh et al.

SERIAL NO.: 10/029,551

EXAMINER: Christine J. Saoud

FILING DATE: December 20, 2001

ART UNIT: 1647

TITLE (AS AMENDED): Treatment for diabetes

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

I, David E. Johnson, represent that I am an attorney and am empowered to act on behalf of The General Hospital Corporation and Waratah Pharmaceuticals, Inc. in the above-referenced application. The General Hospital Corporation and Waratah Pharmaceuticals, Inc. are the co-assignees of record by virtue of Assignments recorded at Reel/Frame 009928/0693; 013423/0597; and 010858/0389 of the entire, right, title and interest in and to the invention in the subject application.

On behalf of The General Hospital Corporation and Waratah Pharmaceuticals, Inc., I hereby disclaim, except as otherwise provided herein, the terminal part of any patent granted on the subject application that would extend beyond the expiration date of the full statutory term, including statutory extensions thereof of U.S. Patent No. 6,288,301 except to the extent that the term of this application 10/029,551 might be extended pursuant to the Drug Price Competition and Patent Term Restoration Act of 1984 (35 USC§ 156) or of any other applicable act of Congress, and hereby agree that any patent so granted on the subject application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to US Patent No. 6,288,301, this agreement to run with any patent granted on the subject application and to be binding upon the grantee, its successors or assigns.

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The General Hospital Corporation and Waratah Pharmaceuticals, Inc. do not disclaim any terminal part of any patent granted on the subject application prior to the expiration date of the full statutory term of US Patent No. 6,288,301 in the event that such patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a); has all claims cancelled by a reexamination certificate; is reissued; or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above.

Pursuant to 37 CFR 3.73(b), I have reviewed all the recordation information above or all documents in the chain of title of the subject application and, to the best of my knowledge and belief, title is in the assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

PARIKH
USSN: 10/029,551

A check is enclosed for payment of the requisite \$130.00 fee due for this Terminal
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CIP.

Respectfully submitted,



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Dated: October 30, 2007

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